REMARKS

In reply to the Office Action of August 9, 2006, Applicant submits the following remarks. Claims 1, 6-11, 14-27, 30, 33, 35-36 and 38-40 have been amended. Applicant respectfully requests reconsideration in view of the foregoing amendments and these remarks.

Double Patenting Rejection

The Examiner rejected claims 1, 5, 20 and 33 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 30 of U.S. Patent No. 6,887,733 ("the '733 patent") to Klausmann in view of U.S. Publication No. 2003/0197197 ("Brown"). Applicants respectfully request that the Examiner hold this rejection in abeyance until the claims are determined otherwise to be allowable.

Section 112 Rejections

Claims 36 and 39 are rejected under 35 U.S.C. § 112, ¶1, as failing to comply with the written description requirement. The Examiner believes that "wherein the upper and lower electrodes are formed as stripes . . . wherein the getter (*now metal*) layer is patterned to form stripes covering the upper electrodes" is new matter. Applicant respectfully disagrees.

On page 1 of the application as filed, starting at line 9, the application describes one method to pattern the electrodes into stripes. In this example, pillars "serve to pattern the . . . electrode and getter layers during deposition to form distinct or separate portions between the pillars" (lines 9-11). Deposition is discussed on page 8, starting at line 4, and suggests that the electrodes can be patterned as strips, such as by using pillars. The specification also describes the getter material as being deposited directly on an active region, covering the active components, which include upper electrodes (page 10, lines 10-18 and page 14, lines 1-3). Because in some devices the upper electrodes and the metal layer are both patterned by the pillars, the electrodes are formed into strips, and the metal layer is on the upper electrodes, then the metal layer is also in strips. Thus, applicant submits that the rejection for lack of written description is unfounded and respectfully requests withdrawal of the rejection.

Rejections over Brown

Claims 1-12 and 14-33 were rejected under 35 U.S.C. 102 or 103 as anticipated by or obvious over Brown. Applicant respectfully traverses in light of the amendments made to claims 1, 20 and 33.

Claims 1, 20 and 33 are each directed to devices having a metal layer located in the active region. The metal layer consists essentially of an alkaline earth metal, aluminum, tantalum or zirconium. Claim 1 requires the metal layer to be in direct contact with the upper electrode of the active component. Claim 20 requires that the metal layer is disposed on an OLED cell. Claim 33 requires that the metal layer is in direct contact with an active component.

Brown describes a OLED device having an OLED 116, an adhesive layer 130 and a getter 118 (Figs. 3-4, paragraphs 69-73). The getter material 118 is either on a barrier layer 120, on a substrate layer or is incorporated into the adhesive layer 130. "Metal getter layers can be applied, for example, to the substrate layer or barrier layer using a number of techniques . . ." (paragraph 70) "In some embodiments of the present invention, a getter material is provided within the adhesive layer." (paragraph 73) Fig. 4 from Brown is reproduced below for the Examiner's convenience.

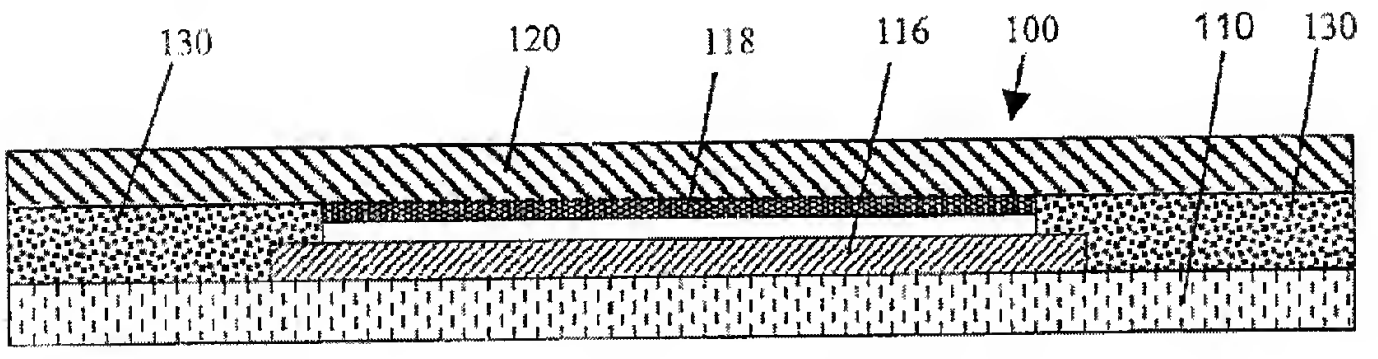

Fig. 4

Brown fails to suggest or disclose a metal layer where the metal layer consists essentially of an alkaline earth metal, aluminum, tantalum or zirconium, and where the metal layer is either in direct contact with the upper electrode of the active component, disposed on an OLED cell or in direct contact with an active component. In Brown, one embodiment shows a getter layer 118

on a barrier layer 120, there being a gap between the getter layer and the OLED 116 (Fig. 4). Thus, this embodiment does not show the getter layer in direct contact with the upper electrode of an active component, disposed on an OLED cell or in direct contact with an active component. Brown notes that the getter can alternatively be applied to the substrate layer, but does not suggest that the getter is applied directly on an upper electrode, disposed on an OLED cell or in direct contact with an active component.

In another embodiment, the getter material is mixed into the adhesive layer (Figs. 2-3). In this embodiment, the adhesive with getter mixed in is not a metal layer that consists essentially of an alkaline earth metal, aluminum, tantalum or zirconium. The Examiner has argued that "'consist essentially of' can comprise other elements as along as it does not affect the properties of primary element" (Office Action, page 5). Applicant submits that a metal layer that consists essentially of a particular metal material is not the same as an adhesive layer that has getter material in the adhesive.

Applicant notes that "consisting essentially of" is interpreted as not including ingredients that materially affect the basic and novel properties of the invention (PPG Industries v. Guardian Industries Corp., 156 F.3d 1351 (Fed. Cir. 1998)). A metal layer that consists essentially of a metal would have materially different properties than an adhesive layer that includes getter material therein. Specifically, the surfaces of a metal layer consisting essentially of a metal would have the properties of the metal, herein, the ability to absorb water and oxygen. The surfaces of an adhesive layer, conversely, even an adhesive layer with getter material mixed in, would be an adhering property. In Brown, adhesive would coat much of the getter material. If most of the getter is coated with adhesive, water and oxygen would have to travel through the adhesive to reach the getter, thus reducing the ability of the getter material to absorb water and oxygen. Thus, substituting a metal layer that consists essentially of a metal that is able to absorb water and oxygen with an adhesive layer with getter particles mixed in materially affects the properties of novel properties of the invention. Therefore, applicant submits that "a metal layer consisting essentially of an alkaline earth metal, aluminum, tantalum or zirconium" does not read on a getter material provided within an adhesive layer.

For at least these reasons, applicant submits that claims 1, 20 and 33 as amended are not anticipated by or obvious over Brown. Claims 2-12, 4-19, 27 and 29-31 depend from claim 1 and are similarly not anticipated or obvious over Brown after amendment to claim 1. Claims 21-26 and 28 depend from claim 20 and are similarly not anticipated or obvious over Brown after amendment to claim 20.

Claims 34-39 were rejected as being unpatentable over Brown in view of U.S. Patent No. 6,693,296 ("Tyan"). Claims 34-36 depend from claim 1 and claims 37-39 depend from claim 20 and necessarily require the limitations of the claims from which they depend.

Tyan describes sealing an OLED in an inert atmosphere along with a desiccant such as alumina, bauxite, calcium sulfate, clays, silica gel, zeolites, alkaline metal oxides, alkaline earth metal oxides, sulfates or metal halides and perchlorates (col. 8, lines 25-36).

Applicant submits that both Brown and Tyan fail to suggest or disclose a metal layer where the metal layer consists essentially of an alkaline earth metal, aluminum, tantalum or zirconium, and where the metal layer is either in direct contact with the upper electrode of the active component or is disposed on an OLED cell. For at least this reason, applicant submits that there is no outstanding *prima facie* case of obviousness with respect to claims 34-39.

Claims 40-42

Claims 40-42 were not addressed in the present office action. These claims were submitted in a supplemental amendment filed on June 29, 2006, and depend from claim 20. Applicant believes these claims are neither anticipated by or obvious over the cited references for at least the reasons provided with respect to claim 20. Applicant respectfully requests allowance of claims 40-42.

Information Disclosure Statement

The applicant requests that the Examiner initial the Information Disclosure Statements filed on May 31, 2005, and August 8, 2006. Copies of the Information Disclosure Statements are attached to this response.

The one-month extension of time fee in the amount of $120.00 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization.

Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: Dec. 11, 2006

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Attorney's Docket No.: 12406-095002
Client's Ref. No.: P2002,0863 US E 1

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Number of pages including this page 3

Applicant : Klausmann et al.
Serial No. : 10/605,981
Filed : November 11, 2003

Art Unit : 1745
Examiner : Jane J. Rhee

Title : OLED DEVICES WITH IMPROVED ENCAPSULATION

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attached to this facsimile communication cover sheet is an Information Disclosure Statement, faxed this 31st day of May, 2005, to the United States Patent and Trademark Office.

Respectfully submitted,

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Attorney's Docket No.: 12406-095002 / P2002,0863 US E 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Klausmann et al.
Serial No. : 10/605,981
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Art Unit : 1745
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MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request consideration of the references listed on the attached PTO-1449 form. Copies of any listed U.S. patents or U.S. patent application publications can be provided upon request.

This statement is being filed within three months of the filing date of the Request for Continued Examination or before the receipt of a first Office Action on the merits. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: May 31, 2005

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CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

May 31, 2005
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Carlos A. Brasil
Typed or Printed Name of Person Signing Certificate

Sheet 1 of 1

Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 12406-095002	Application No. 10/605,981
Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))		Applicant Klausmann et al.	
		Filing Date November 11, 2003	Group Art Unit 1745

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	5,652,067	07/1997	Ito et al.			
	AB	6,023,125	02/2000	Yoshikawa et al.			
	AC	6,214,474	04/2001	Barbist et al.			
	AD	6,565,770	05/2003	Mayer et al.			
	AE	6,572,784	06/2003	Coombs et al.			
	AF	6,621,840	09/2003	Araki			
	AG						
	AH						
	AI						
	AJ						
	AK						

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation Yes	Translation No
	AL							
	AM							
	AN							
	AO							
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Other Documents (include Author, Title, Date, and Place of Publication)

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Examiner Signature	Date Considered

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Substitute Disclosure Form (PTO-1449)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Klausmann et al.	Art Unit	: 1745
Serial No.	: 10/605,981	Examiner	: Jane J. Rhee
Filed	: November 11, 2003	Conf. No.	: 2980
Title	: OLED DEVICES WITH IMPROVED ENCAPSULATION		

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P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request consideration of the references listed on the attached PTO-1449 form. Copies of any listed U.S. patents or U.S. patent application publications can be provided upon request.

No fee is believed to be due. If, however, there are any charges or credits, please apply them to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 8.5.04

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Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 12406-095002	Application No. 10/605,981
Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))		Applicant Klausmann et al.	
		Filing Date November 11, 2003	Group Art Unit 1745

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	20010013756	08/2001	Mori et al.			
	AB	2003/0209979	11/2003	Guenther et al.			
	AC	2004/0036411	02/2004	Kim et al.			
	AD	6,887,733	05/2005	Klausman et al.			
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation Yes	Translation No
	AL							
	AM							
	AN							
	AO							
	AP							

Other Documents (include Author, Title, Date, and Place of Publication)

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	AR	
	AS	
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Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Electronic Acknowledgement Receipt

EFS ID:	1146571
Application Number:	10605981
Confirmation Number:	2980
Title of Invention:	OLED Devices with Improved Encapsulation
First Named Inventor:	Hagen Klausmann
Customer Number:	26181
Filer:	Jennifer A. Zanocco/Carlos Brasil
Filer Authorized By:	Jennifer A. Zanocco
Attorney Docket Number:	OSRMP2002-14-01
Receipt Date:	08-AUG-2006
Filing Date:	11-NOV-2003
Time Stamp:	19:29:30
Application Type:	Utility
International Application Number:	

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If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371
If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.